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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,280	12/03/2003	Wen-Ching Ho	OTMP0054USA	1279
27765	7590	07/27/2004	EXAMINER	
NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)			THOMAS, BRANDI N	
P.O. BOX 506			ART UNIT	
MERRIFIELD, VA 22116			PAPER NUMBER	
			2873	

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/707,280

Applicant(s)

HO, WEN-CHING

Examiner

Brandi N Thomas

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-13 and 15 is/are rejected.
- 7) ☒ Claim(s) 10 and 14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Detailed Action.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Hashizume et al. (6000802).

Regarding claim 1, Hashizume et al. discloses an adjusting apparatus for light valve comprising: a base plate (720), which has a surface (col.8, lines 46-49); at least one adjusting module (730) which is fixed upon one edge of said surface (col.8, lines 53-55); at least one repositioning module (710) which is fixed upon of said surface the other edge and is opposite to said adjusting modules (730) (col. 8, lines 60-63), and a light valve (930) which is clipped between said adjusting module (730) and said repositioning module (710) (figure 6a-6c).

Regarding claim 2, Hashizume et al. discloses an adjusting apparatus for light valve, wherein said adjusting module (730) comprises a fixing base (721), a sliding base (740), and an adjusting device (746), said fixing base (721) fixed on said surface of said base plate (720) (col.

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8, lines 49-50) and having a cavity (722) on a side surface faced to said light valve (930), said sliding base (740) being placed inside said cavity (722), said adjusting device (746) being screwed to said fixing base (721) and having one end pressing to said sliding base (740) (col. 8, lines 62-63) (figure 6a-6c).

Regarding claims 3 and 4, Hashizume et al. discloses an adjusting apparatus for light valve, wherein surfaces of said sliding base (740) of said adjusting module (730) and said base plate (720) respectively have guide-pins and guide-grooves (733a, 733b, 743a, 743b, 737, 747) according to each other (col. 9m, lines 11-16 and 25-27).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashizume et al. (6000802) as applied to claim 1 above, and further in view of Vilhelmsson (5422725).

Regarding claim 5, Hashizume et al. discloses the claimed invention except that it does not show a repositioning module comprises a sliding base and at least one elastic device, fixing base, a said fixing base fixed on said surface of said base plate, one end of said elastic device connecting to said fixing base and the other end pressing to said sliding base. Vilhelmsson shows that it is known to provide a repositioning module comprises a sliding base (14) and at least one elastic device (11 and 12), fixing base (13), a said fixing base (13) fixed on said surface

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of said base plate (18), one end of said elastic device (11 and 12) connecting to said fixing base (13) and the other end pressing to said sliding base (14) for positioning the aperture in several directions (col. 3, lines 10-23). Therefore it would have been obvious to someone of ordinary skill in the art at the time the invention was made to combine the teaching of Hashizume et al. with the repositioning module of Vilhelmsson for the purpose of positioning the aperture in several directions (col. 3, lines 10-23) (figure 1).

Regarding claims 6 and 7, Hashizume et al. discloses an adjusting apparatus for light valve, wherein surfaces of said sliding base (740) of said repositioning surfaces and said base plate (720) respectively have guide-pins and guide-grooves (731a, 731b, and 734) according to each other (figure 6a-6c).

Regarding claim 8, Vilhelmsson discloses an adjusting apparatus for light valve, wherein said elastic device (11 and 12) is a spring (col. 3, line 20) (figure 1).

Regarding claim 9, Vilhelmsson discloses an adjusting apparatus for light valve, wherein said elastic device (11 and 12) is an elastic piece (col. 3, lines 10-11) (figure 1).

Regarding claim 11, Hashizume et al. discloses an adjusting apparatus for light valve, wherein said light valve (930) is fixed upon a fixing plate (figure 6a), one side surface of said sliding base (740) of said adjusting module (730) but does not specifically disclose the repositioning module having a sliding base. However, Vilhelmsson discloses a sliding base (14). Therefore it would have been obvious to someone of ordinary skill in the art at the time the invention was made to combine the teaching of Hashizume et al. with the repositioning module of Vilhelmsson for the purpose of positioning the aperture in several directions (col. 3, lines 10-23) (figure 1).

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6. Claims 12, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashizume et al. (6000802), as applied to claim 1 above, and in further view of being well known in the art.

Regarding claims 12, 13, and 15, Hashizume et al. discloses an adjusting apparatus for light valve, including an adjusting module (730) and a repositioning module (710) but does not specifically disclose the adjusting module comprises a first adjusting module and a second adjusting module, which are in accordance with said repositioning module having a first repositioning module and a second repositioning module. It would have been obvious to include a second adjusting module and a second repositioning module, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art (St. Regis Paper Co. v. Bemis Co., 193 USPQ 8). It would have been obvious to someone of ordinary skill in the art at the time the invention was made to include a second adjusting module and a second repositioning module for the purpose of properly positioning the light valve in multiple directions. Regarding claim 13, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to have the first adjusting module and said second adjusting module move on the same plane for the purpose of maintaining a particular position of the light valve. Regarding claim 15, it would have been obvious to someone of ordinary skill in the art at the time the invention was made to have the first repositioning module and said second repositioning module move on the same plane for the purpose of maintaining a particular position of the light valve.

Allowable Subject Matter

7. Claims 10 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claim(s), in such a manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in claim(s) 10 and 14, wherein the claimed invention comprises the displacement direction of said adjusting device is parallel to elastic deformation direction of said elastic device and the displacement direction of said first adjusting module and displacement direction of said second adjusting module are perpendicular to each other, as claimed.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Miyashita et al. (5905540) discloses a projection-type video display in which the entire input video signal is first digitally corrected through digital gamma correction.

Bedzyk (5089081) discloses an adjustable pad assembly is used for aligning a polygon of a laser optical system.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandi N Thomas whose telephone number is 571-272-2341.

The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BNT

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July 23, 2004



RICKY MACK
PRIMARY EXAMINER